

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH AND ADDICTION SERVICES
BUREAU OF HEALTH SYSTEM REGULATION
DIVISION OF MEDICAL QUALITY ASSURANCE

In re: Seymour Leopold, D.V.M.
Darby Animal Hospital
26 Grassy Plain Street
Bethel, CT 06801

Petition No. 930519-47-012

CONSENT ORDER

WHEREAS, Seymour Leopold, D.V.M., of Bethel, Connecticut (hereinafter "respondent") has been issued license number 00657 to practice veterinary medicine, surgery and dentistry by the Department of Public Health and Addiction Services (hereinafter "the Department") pursuant to Chapter 384 of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges that:

1. Respondent performed a surgical procedure in November of 1992 at Darby Animal Hospital, Bethel, Connecticut that was not in accordance with acceptable standards in the veterinary community in which the respondent practiced; and,
2. Such conduct constitutes a violation of General Statutes of Connecticut §20-202.

WHEREAS, respondent makes no admissions with respect to the Department's allegations, but wishes to resolve this matter, and agrees that this Consent

Order shall have the same effect as if ordered by the Connecticut Board of Veterinary Medicine (hereinafter "the Board") after a full hearing pursuant to §§19a-9, 19a-10, and 20-202 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to Section 19a-17 and Section 20-202(10) of the General Statutes of Connecticut, Seymour Leopold, D.V.M. hereby stipulates and agrees to the following:

1. That he waives his right to a compliance conference and to a hearing on the merits of this matter.
2. That he shall comply with all statutes and regulations applicable to his profession.
3. That his license shall hereinafter be restricted, in that he shall not perform surgery on animals unless he is assisted by a veterinarian licensed to practice veterinary medicine in Connecticut and qualified to perform animal surgery.
4. That any deviation from the terms of this Consent Order shall constitute a violation of the same.
5. That any alleged violation of this Consent Order may result in summary action to suspend his license, or in the following procedures:
 - A. The Department shall notify respondent in writing by first-class mail that the term(s) of this Consent Order have been violated;
 - B. Said notification shall include the acts or omission(s) which violate the terms of this Consent Order;
 - C. Respondent will be allowed fifteen (15) days from the date of mailing

of notification required in 5A above to demonstrate to the satisfaction of the Department that he has complied with the terms of this Consent Order;

D. If respondent does not demonstrate compliance by the limited fifteen (15) day date certain contained in the notification of violation to the satisfaction of the Department, he shall be entitled to a hearing before the Board, which shall make a final determination of the disciplinary action to be taken;

E. Evidence presented to the Board by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.

6. That the terms of this Consent Order do not in any way supercede or replace the terms of the Consent Order previously ordered and accepted by the Board on or about June 2, 1993 in Petition No. 920819-47-023, but rather are in addition to that Consent Order.

7. That, in the event respondent violates any term of this Consent Order, respondent agrees immediately to refrain from practicing as a veterinarian upon request by the Department with notice to the Board for a period not to exceed 45 days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation, and to submit to and complete a medical, psychiatric or psychological evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department.

Respondent further agrees that failure to cooperate with the Department in

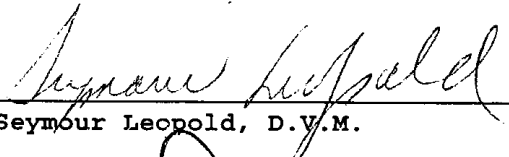
his compliance with §20-202 of the General Statutes of Connecticut, as amended, is at issue. Respondent specifically agrees not to contest the allegations of the Department in any such proceeding.

14. That this Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Consent Order is not subject to appeal or review under the provisions of Chapters 54 and 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any other rights that he may have under the laws of the State of Connecticut or of the United States.
15. That he permits a representative of the Public Health Hearing Office of the Division of Medical Quality Assurance of the Department to present this Consent Order and the factual basis for the same to the Board. Respondent understands that the Board has complete and final discretion as to whether an executed Consent Order is approved or accepted.
16. That he understands that this Consent Order is a revokable offer of settlement which may be withdrawn or modified by the Department at any time prior to its approval and acceptance by the Board.
17. That he has consulted with an attorney prior to signing this document.

its investigation during said 45 day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that his failure to cooperate with the Department's investigation shall, as a matter of law, constitute a clear and immediate danger as required pursuant to Connecticut General Statutes, sections 4-182(c) and 19a-17(c).

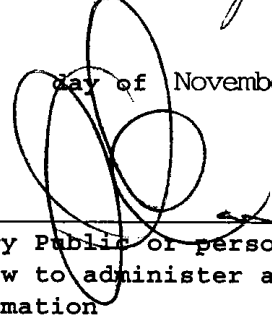
8. That, in the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of his license before the Connecticut Board of Veterinary Medicine.
9. That any extension of time or grace period granted by the Department shall not be a waiver or preclude the Department from taking action at a later time. The Department shall not be required to grant future extensions of time or grace periods.
10. That legal notice of any action shall be deemed sufficient if sent to respondent's last known address of record reported to the Licensure and Renewal Section of the Division of Medical Quality Assurance of the Department.
11. That this Consent Order is effective on the day it is approved and accepted by the Board.
12. That he understands this Consent Order is a matter of public record.
13. That he understands that the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Board in which (1) his compliance with this same order is at issue, or (2)

I, Seymour Leopold, D.V.M., have read the above Consent Order, and I agree and stipulate to the terms and allegations set forth therein. I further declare the execution of this Consent Order to be my free act and deed.


Seymour Leopold, D.V.M.

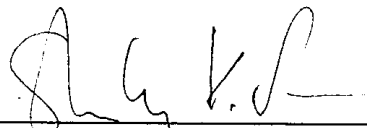
Subscribed and sworn to before me this 21st day of November 1994.

JACKIE CHAN


Notary Public or person authorized
by law to administer an oath or
affirmation

The above Consent Order having been presented to the duly appointed agent of the Department of Public Health and Addiction Services on the 28th day of November 1994, it is hereby accepted.

By:


Stanley K. Peck, Director
Division of Medical Quality Assurance
Authorized representative

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Veterinary Medicine on the 4th day of JANUARY, 1995⁵, it is hereby ordered and accepted.

By:


Connecticut Board of Veterinary Medicine

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